

SEP 1976

SUBJECT: Need for the Agency's Continued Exemption under the Classification Act of 1949

BACKGROUND: From September 1947 through June 1949, the CSC audited and approved positions within CIA. During this period, all position classification matters such as establishment of new positions and changes in existing titles, series and grades, required CSC review and approval before they could be effected within the Agency.

In the performance of his duties, the assigned CSC Position Classification Officer was seriously restricted in conducting the review and classification process because of the inherent security restrictions which prohibited access (which also applied to Agency Staff personnel without "need to know" authority) to sensitive programmatic and operational data. Security restrictions further prohibited him from taking position data and functional information to his Civil Service Commission office for effective comparative analysis.

As a result of these realities, the Civil Service Commissioners recognized that the CSC was not in a position to perform properly the position classification role within CIA and supported the Agency's exemption from the Classification Act of 1949. Although CIA was exempted, the Agency, as an administrative policy, declared its intention to follow the basic philosophy and principles of the Classification Act, the CSC's allocation standards, the pay scales, the within-grade salary advancement plans, and the pay rules of the

Classification Act, (as they may be amended from time to time), in substantially the same manner as the Classification Act provides.

CURRENT STANCE: Review and audit of CIA positions by CSC for position classification purposes would recreate many of the problems encountered previously (as described above). In essence, for a classification officer to classify positions in a manner that is fair and equitable both to the Government and the employee, he must be privy not only to a description of the duties and responsibilities of the immediate position(s) but also to background information on organizations, operations and other positions. In other words, to do his job properly, he must grasp the broader environment in which the position(s) are placed and operate. This means divulging large and often highly sensitive amounts of information (and the personnel involved) to him - a process which requires the Agency's position classifiers to possess numerous special access security clearances of all degrees of sensitivity. As CIA requires the utilization at one time or another of almost the whole spectrum of occupational endeavor, no one CSC classification officer would be qualified to pass on all positions. This would mean clearing and "cutting in" additional CSC classification officers to consult in those many areas in which the assigned CSC officer was not knowledgeable or proficient. This could lead to a proliferation of outside people who would have a "need to know" and greatly slow down the classification process.

As a result of a recent court decision, the Civil Service Commission is charged with making available to the public upon request,

the results of their Personnel Management Evaluation Surveys (which include position classification) of Federal agencies under their purview. When the Commission initiates position classification reviews, it is assumed they will incorporate the results of these reviews in the context of their Personnel Management Evaluation procedures. Under CSC policies "the only information that will not be released (under FOIA) is that which will invade individual's personal privacy." As this policy has evolved under court pressure, any effort to withhold selected information on security grounds may be subject to judicial determination.

With the current concern on holding knowledge about sources and methods to the absolute minimum number of people, the Director's legal mandate is also involved. The CIA Act of 1949 provides that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency.